IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

Plaintiffs, AW, WL, RC, MJ, CM, and HH on behalf of themselves and all others similarly situated, and Protection and Advocacy for People with Disabilities, Inc., a South Carolina non-profit corporation,) Civil Action No. 2:17-cv-01346-RMG)))
Plaintiffs,)
Tiamuits,) STIPULATION OF DISMISSAL
VS.) AS TO PLAINTIFF A.W. ONLY
)
Mark W. Binkley, in his official capacity as)
the Director of the South Carolina)
Department of Mental Health; the South)
Carolina Department of Mental Health; and)
the South Carolina Mental Health)
Commission,)
)
Defendants.)
)

On or about January 22, 2019, Plaintiff A.W. passed away. His death extinguished claims made in this lawsuit for injunctive relief. *See Fariss v. Lynchburg Foundry*, 769 F.2d 958, 964 n. 8 (4th Cir.1985) (claims for injunctive relief do not generally survive the death of the plaintiff).

As to any further claims in the lawsuit, Plaintiff A.W. is, by consent of the parties, dismissed without prejudice. This dismissal is not intended to, and does not, prejudice any potential claims against Defendants or any related party that may belong to the estate of A.W.

PROTECTION AND ADVOCACY FOR PEOPLE WITH DISABILITIES, INC.

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By: s/ Andrew F. Lindemann ANDREW F. LINDEMANN, (Fed. Id. #5070) JOEL S. HUGHES (Fed. Id. # 9796) 5 Calendar Court | Post Office Box 6923 Columbia, SC 29260 T: 803-881-8920 andrew@ldh-law.com joel@ldh-law.com ATTORNEYS FOR DEFENDANTS